IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLIATION NO.1582/06

Shri.Sukesh Raju Shetty .... Applicant

V/s.

The State of Maharashtra .... Respondent

Shri.S.N. Chimade Adv. for the applicant.
Miss. Rajeshree M. Gadhvi APP for the State.

CORAM : V.M. KANADE, J.

DATED : 03/05/06

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R.No.238/1996 registered with Andheri Police Station on NBW being issued. It is the case of the applicant that the applicant had been attending the case regularly in another case which was pending in the Addl.C.M.M. However, since matter did not appear on the board, he was not aware of the date to appear. He further submitted that proclamation which was issued is also defective because address which is

given in the said proclamation is not that of the present applicant. He further submitted that the applicant may be released on bail.

3. I have perused the Roznama in respect of another case which is pending against the present applicant. Roznama indicates that the applicant had been attending the court upto August, 2005 and thereafter the Court was vacant. The proclamation also shows that the address of the applicant which is given in the said proclamation is incorrect. Under these circumstances, the applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in the like amount. The applicant shall report to the Andheri Police Station once in a week every Monday. If the applicant remains absent, liberty is granted to the Magistrate to issue NBW.

4. The application is accordingly disposed of.

V.M. KANADE J.